(e) whether Government have moved the Supreme Court against the decision of Delhi High Court; and

(f) if so, when and what is the outcome and if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) to (f) The Writ Petition was filed by M/s. Glaxo in the Delhi High Court 21-7-90 against the Govt's Notice dated 18-6-1990 conveying the tentative liability of the Company as Rs. 66.35 crores. Since then, adjournments have taken place on account of various reasons which generally become unavoidable in a litigation, like for enabing the company to amend its Writ Petition in view of the Govt. having increased the tentative liability to Rs. 71.21 crores on 16-11-90, to enable the parties to file counter-affidavits and replies thereto, before and after the said amendment, non-availability of Counsels etc. The case will be defended in the best public interest in accordance with the advice of Govt's legal experts.

Furnishing of details by M/s Hoechst

648. SHRI MOHD. KHALEELUR RAHMAN:

SHRI ASHOK NATH VERMA:

Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 375 given in the Rajya Sabha on the 18th July, 1991 and state:

(a) whether it is a fact that M/s Hoechst did not follow the time schedule and the decision of Bombay High Court in providing the details required by Government;

(b) if so, what steps have been taken by Government in this direction;

(c) whether it is a fact that Government have been asking M/s Hoechst to provide details for the last so many years;

(d) if so, when it was asked for the first time and how many reminders were sent; and

(e) what action Government are proposing to take under these circumstances?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) to (e) As envisaged in the Bombay High Court's order dated the 8th March, 1991, M/s Hoechst did make available some information and data before the expiry of 8 weeks' period stipulated in the said order. It was, however, noticed that the information supplied by the company did not tally with the one made available by it in 1987-88 to the Special Team and therefore it needed reconciliation, and the same is being done. The case will be processed in accordance with the provisions of the DPCOs and the directions of the Courts.

Imoprt Bill of M/s German Remedies

649. SHRI MOHD. KHALEELUR RAHMAN:

SHRI ASHOK NATH VERMA:

Will the PRIME MINISTER be pleased to refer to the answer to unstarred Question 374 given in the Rajya Sabha on the 18th July, 1991 and state:

(a) whether it is a fact that import bill of M/s German Remedies which was Rs. 3.67 crores at CIF cost during the year 1987 jumped to Rs. 20 crores during 1990-91;

(b) what are the reasons for such increase at a time when country is facing foreign exchange problem;

(c) whether it is a fact that company is required to provide imports break up under drug Policy, 1986 and DPCO, 1987;

(d) if so, the details provided by the company; and

(e) when the matter of over invoicing was referred to Finance Ministry and what is the present status?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) and (b) Imports of individual companies are not monitored by the Department.

(c) and (d) Yes, Sir, information is required to be given in respect of certain types of imports, However, response from the Industry in this regard has been lukewarm.

(e) On receipt of the complaints, the matter was rererred to the Directorate of Revenue Intelligence for appropriate necessary action.

Recovery of amount by collectors

650. KUMARI SAYEEDA KHATUN:
CHOWDHARY RAM SEWAK:

Will the PRIME MINISTER be pleased to refer to the answer to Unstarred Question 404 given in the Rajya Sabha on the 18th July, 1991 and state:

(a) what are the names of companies amounts involved, date of reference have so far been made to the collector for recovery after the inception of DPCO 1979;

(b) whethter it is a fact that provision is available under Essential Commodities Act to recover amount due;

(c) what are the details of cases where assessment of liabilities have been made and what are the reasons for not referring those cases for recovery to collector; and

(d) since when the matter is pending any by when final decision would be taken?

THE MINISTER OF STATE IN THE MINISTRY OF CHEMICALS AND FERTILIZERS (SHRI CHINTA MOHAN): (a) Since the DPCO 1979 became operative from 1-4-79, the effort involved in the collection and compilation of the desired information for the last about 12 years would not be commensurate with the results achieved. It may, however, be mentioned that such a step has been taken only in a few cases since 1-4-79.

(b) Yes, Sir.

(c) and (d) The company-wise details of the liabilities tentatively assessed so far are given in the Annexure (*See* Appendix CLX, Annexure No. 28] The question of recovering the amounts, alongwith interest, as arrears of land revenue, by referring the matter to the collector concerned, is under consideration.

Proper use of amount available into DPEA

651. SHRI SANTOSH KUMAR SAHU:
CHOWDHURY RAM SEWAK:

Will the PRIME MINISTER be pleased to refer to the answer to Unstarred question 400 given in the Rajya Sabha on the 18th July, 1991 and state:

(a) whether it is a fact that amounts available into DPEA can only be used for payments relating to difference in relation pooled and common sale prices and expenses for adminsitering DPEA;

(b) whether it is a fact that the funds cannot be used for any other purpose,

(c) what is the legal position in this regard;

(d) whether it is a fact that payments made to Bhatti Committee from DPEA account is without any authority of Law;

(e) if so, what steps are being taken to deposit the money into DPEA account which was wrongly drawn from this account;

(f) whether Government have taken the opinion of controller of Finance or Financial Adviser in this case; and

(g) if so, when and what was the opinion?